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OFFICE OF PETITIONS

In re Application of	:	
Judith A. Friese et al.	:	DECISION ON PETITION
Application No. 10/620,475	:	PURSUANT TO
Filed: July 16, 2003	:	37 C.F.R. § 1.182
Attorney Docket No. 7098.US.01	:	
Title: STABLE CALIBRATORS OR	:	
CONTROLS FOR MEASURING HUMAN	:	
NATRIURETIC PEPTIDES	:	

This is in response to the petition filed on August 24, 2007, pursuant to 37 C.F.R. § 1.182, requesting the withdrawal of two terminal disclaimers.

On April 25, 2007, a terminal disclaimer was submitted to overcome two nonstatutory double patenting rejections over copending applications 10/721,031 and 11/248,650, each made in a final Office action mailed December 15, 2006¹. With this petition, it has been set forth that these terminal disclaimers are no longer proper.

Petitioner has submitted a portion of the petition fee. The remainder of the same will be charged to Petitioner's Deposit Account in due course.

The Examiner reviewed this request to withdraw the terminal disclaimers, and has determined that both previously filed terminal disclaimers should be withdrawn.

¹ See rejection of claims 1-17, 19-36, and 52-53 on page 3 of the final Office action.

As such, this petition is **GRANTED**.

The Technology Center will be notified of this decision. **The Technology Center's support staff will withdraw both terminal disclaimers, consistent with this decision,** prior to notifying the Examiner of this decision so that the present application can receive further processing.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225². All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.

/Paul Shanoski/
Paul Shanoski
Senior Attorney
Office of Petitions

² Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.